



Agenda Item Number: 2005-3-5A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 29, 2004

Department: Human Resources **Staff Contact:** Dan Mayfield, Deputy County Manager
Renetta M. Torres, Director
Jeff Landers, Assistant County Attorney

TITLE: Employment Relations Ordinance and Employment Relations Rules and Regulations - Revisions

ACTION: Introduction and publication of amendments to County Code, Chapter 2, Section 2-91-2-100 and the Bernalillo County Employment Relations Rules and Regulations.

SUMMARY:

The Board adopted personnel Ordinance 91-8 on June 18, 1991. Amendments were approved and became effective July 1, 1996. The Board approved additional amendments that became effective January 15, 1999. The current updates to the Employment Relations Ordinance and the Employment Relations Rules and Regulations are being initiated as a result of changes to laws as well as procedures that required clarification. The recent audit findings also identified areas which required changes.

The process for review and input was multi-faceted. Management sent out a questionnaire to all employees covered under the provisions of the Employment Relations Rules and Regulations seeking recommendations for possible changes. The Deputy County Managers then held meetings with their respective department directors to further discuss recommendations which were then submitted as a package to the County Manager. The progress of the proposal was discussed at the January 2005 Department Director's monthly meeting. The following are some of the major proposed changes to the Bernalillo County Employment Relations Rules and Regulations:

- ❖ The EEO Statement is revised to include protected classes provided in recent amendments to the New Mexico Human Rights Act.
- ❖ Text change to reflect job title change for Deputy County Manager and to add County Attorney
- ❖ Text changes to strike and add same terminology as used in the collective bargaining agreements
- ❖ Section 302 remove signature and date requirements for on-line applications
- ❖ Section 402(A) changes the probationary period to nine (9) months
- ❖ Section 402 (C) modify text account for all categories of "unclassified" employment
- ❖ Section 402(G) add language to clarify that probationary employee may not use personal holidays during their probationary period
- ❖ Section 514 language to provide for "standby" and set a standby pay
- ❖ Section 603 add categories due to amendments to the New Mexico Human Rights Act
- ❖ Section 705(C)(1) language change to reflect practice and for consistency with grievance procedures in collective bargaining agreements

- ❖ Section 802(B)(4) change criteria for selection
- ❖ Section 901 clarifies applicability to classified employees only
- ❖ Section 1011 new section to provide sick leave incentives
- ❖ Section 1200 new section - Miscellaneous
- ❖ Section 1300 new section – Unclassified Employees
- ❖ Section 1400 new section – Drug and Alcohol Policy and Testing
- ❖ Section 1500 new section – Fire & Rescue Probationary Employees

Staff requests Board approval to publish the proposed amendments to the Ordinance and the Rules and Regulations. Following publication, the proposed changes will be presented to the Board at the April 26, 2005 Administrative meeting for public comment and adoption.

ATTACHMENTS:

1. Proposed amendment to Personnel Ordinance
2. Proposed amendment to the Personnel Rules and Regulations

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

The Rules and Regulations update is included in my contract goals for the period of September 20, 2004 – September 19, 2005. The Board approved the last significant update of the Rules and Regulations on December 15, 1998.

Input was requested from all employees covered under the provisions of Rules & Regulations as well as management. I have met with Deputy County Managers, Department Directors and County Legal. There has been extensive involvement from staff, Human Resources and the Legal Department relating to the proposed changes which have been compiled and submitted for introduction and publication. I recommend the Board comment on the revisions and provide its input on the proposed changes to the Rules and Regulations.

DEPUTY COUNTY MANAGER FOR FINANCE

This is the first major update to the County's Rules and Regulations in six years. The updates will make many sections of the Rules and Regulations for non-represented employees consistent with Union Agreements. In addition, the amendments incorporate changes in employment laws and internal audit recommendations. Dan Mayfield 3/22/05

LEGAL

The proposed amendments are consistent with applicable law. Approved as to form. JSL
3/23/05